

**INFRASTRUCTURE CONFIDENTIALITY AND
SECURITY POLICY**



**Adopted By
Board of Commissioners
June 20, 2005**

INFRASTRUCTURE CONFIDENTIALITY AND SECURITY POLICY

1.0 Policy

It shall be the policy of Cabarrus county to control and monitor access to security sensitive data. Cabarrus County will restrict access to plans, design drawings and similar documentation of its public infrastructure to only those individuals and organizations that require this information in conducting their business with the County and upon demonstration of such need. All requests will be evaluated and data provided will be based on the requirements of the project for which the data will be used. Requests for this information will be documented and maintained by the County.

2.0 Definitions

- 2.1 **Public Infrastructure** - Includes the County's: (a) public buildings, (b) telecommunication and data communication networks, and (c) public security plans.
- 2.2 **Detailed Plans, Drawings and Documentation** - Electronic or non-electronic information that communicates the organization, arrangement, location, or an operational understanding in sufficient detail to endanger or otherwise compromise the security or operation of the facility or plan being communicated.
- 2.3 **Public Security Plans** - Includes any assessments, policies and/or procedures pertaining to the security of the County's infrastructure; i.e., Emergency Action Plan, Response Plans, and Vulnerability Assessments.
- 2.4 **Licensed Professional** - Shall include any individual licensed by the State of North Carolina in the professions of: (a) Professional Engineer, (b) Land Surveyor, (c) Architect, (d) Landscape Architect, or (e) General Contractor.
- 2.5 **Non-Licensed Professional** - Includes all non-licensed professionals; i.e., business firms, professional associations, community groups, etc.
- 2.6 **Responsible Department Director** - The department director who is responsible for a particular public infrastructure.
- 2.7 **Registration** - Tier I or Tier II access to the County's sensitive infrastructure data will require completion of an Application for Approval. See Attachment A for licensed professional or Attachment B for non-licensed professional. Registrations will remain in effect one year from the date of execution and must be renewed annually.
 - 2.7.1 **Tier I** - Registration level that allows Licensed Professionals to request project specific security sensitive information. If the request is granted the information may be delivered in hard copy or digital form.
 - 2.7.2 **Tier II** - Registration level that allows non-licensed professional to request project specific security sensitive information. If the request is granted the information may be delivered in hard copy or digital form.

2.7.3 Tier III – Allows individuals and firms not registered with the County as a Tier I or II to request access to project specific security sensitive information. If the request is granted the information may be viewed. The information will not be delivered in hard copy or digital form.

2.8 Government Jurisdiction - An agency of North Carolina government as defined in North Carolina G.S. 132-1(a), with whom the County does business.

2.9 Consortium Member - Jurisdictions or other governmental bodies that have adopted similar security polices and signed the County's Infrastructure Confidentiality Security Agreement, Attachment C.

GIS Data Sets – This policy deals with both complete and partial GIS Data Sets. Complete GIS Data Sets include all of a specific data theme or layer, owned and maintained by the County. Partial GIS Data Sets are subsets of the above complete data sets that are specific to a parcel of property or project area.

3.0 Procedures/Rules

3.1 No plans, drawings, GIS Data Sets, or documentation that details the County's security sensitive public infrastructure, or security sensitive public infrastructure data not owned by the County, shall be available to the general public, except upon a demonstrated need as provided herein; or as may be agreed to by the owner of the infrastructure data.

3.2 Tier I: Requests for detailed plans, drawings and documentation of the County's public infrastructure by licensed professionals and their associated firms who have registered with the County, and have been approved access to such information will be honored by the County. Data provided will be based on the requirements of the registrant's project and the discretion of the responsible department director / or department designee. Only partial GIS Data Sets will be made available of infrastructure data not owned by the County. Complete GIS Data Sets will have to be requested from the specific jurisdiction that has ownership.

3.2.1 Requests for Tier I approval for licensed professionals must be by written application (See Attachment A). The execution of the registration acknowledges the licensed professional's acceptance of and adherence to this policy.

3.2.2 The responsible department director, or his/her designee, will grant requests for registration for each type of infrastructure.

3.2.3 Once approved, the original registration will be maintained by the County designee, with copies provided to the County staff and Consortium members as needed.

3.2.4 Once approved, only those licensed professionals or associates identified on the registration will have access to and be provided copies of detailed plans, drawings and documentation of public infrastructure. Licensed professionals and their firms may only use such data as required in the exercise of their profession.

- 3.2.5 The County designee will maintain a log detailing each instance where a licensed professional or his/her associates receives information (electronic or paper) under this policy. This log will include the name of the individual, the date the information was released and a description of the data released.
 - 3.2.6 The County will request a picture identification (such as a valid North Carolina driver's license) to confirm the individual's identity.
 - 3.2.7 Any person or firm receiving information in this manner is prohibited from otherwise copying or distributing the information to anyone outside of his/her immediate business concerns, and not directly related to the project for which the information was obtained.
- 3.3 Tier II: The responsible department director, or his/her designee, may approve a registration and allow distribution of copies of detailed plans, drawings and documentation of public infrastructure to non-licensed professionals, in cases where access to this information furthers a public policy or project. Only partial GIS Data Sets will be made available of infrastructure data not owned by the County. Complete GIS Data Sets will have to be requested from the specific jurisdiction that has ownership.
- 3.3.1 Requests for Tier II approval for non-licensed professionals, business firms, professional associations, or community groups, etc., must be by written application (See Attachment B) to the responsible department director or his/her designee. Execution of the registrations acknowledges the non-licensed professional acceptance of and adherence to this policy.
 - 3.3.2 Tier II registrations can be granted if the request furthers public policy and does not compromise the security of the public infrastructure. Examples include: (a) firms bidding on County projects, (b) neighborhood groups participating in community development activities or planning, and (c) other similar uses of the data.
 - 3.3.3 Once approved, only those individuals identified on the registration document will have access to and be provided copies of detailed plans, drawings and documentation of public infrastructure as described on the approved registration. Any request for information, not covered by the approved registration description and intended use, will require additional approval.
 - 3.3.4 Once approved, the original registration will be maintained by the County designee, with copies provided to the County staff and Consortium Members as needed.
 - 3.3.5 The County will maintain a log detailing each instance non-licensed professional receives information under this policy. The log will include the name of the individual, the date of the information release, a description of the data released and an explanation of the need for the information.
 - 3.3.6 The County will request a picture identification (such as a valid North Carolina driver's license) to confirm the individual's identity.

- 3.3.7 Any person or firm receiving information in this manner is prohibited from otherwise copying or distributing the information to anyone outside of his/her immediate business concern.
- 3.4 Tier III: The County will not honor requests to distribute security sensitive public infrastructure information to firms or persons not registered with the County as a Tier I or a Tier II approval. However, individuals and firms may view detailed plans, drawings or documentation of public infrastructure for the purpose of determining the proximity of the infrastructure to their property or a property of interest.
- 3.4.1 The County may request documentation of such need for information, if the sensitivity of the area or the scope of the request is unusual in nature, as determined by the County.
- 3.4.2 Copying or any other form of duplication of the viewed detailed plans, drawings or documentation will not be permitted.
- 3.4.3 The County will maintain a log detailing each instance of Tier III information access under this policy. The log will include the name of the individual, the date of the information viewed, a description of the data viewed and an explanation of the need for the information.
- 3.4.4 The County will request a picture identification (such as a valid North Carolina driver's license) to confirm the individual's identity.
- 3.5 The County will not distribute or allow access to view copies of Public Security Plans to licensed professionals, non-licensed professionals or the general public. Release of information shall only be made to law enforcement and related agencies as mandated by North Carolina General Statutes.
- 3.6 All copies of detailed plans, drawings or documentation provided to individuals or firms under this policy must include a statement that reads as follows:

NOTICE

Sensitive information not to be copied or distributed
without the express written consent of Cabarrus County.

In compliance with – North Carolina Public Records Law

All information provided was created for the County's internal use. Cabarrus County, its agents, and employees are not responsible for and shall not be held liable for any errors in the data, including but not limited to, errors of omission, commission, content and or relative or positional accuracy.

Data provided shall not be construed as a legal document. Any resale of this data is strictly prohibited in accordance with North Carolina General Statute 132-10.

Cabarrus County
P.O. Box 707
Concord, North Carolina 28026-7070
704-920-2154

- 3.7 This policy does not constrain access to the County’s public infrastructure data to other County agencies, jurisdictions or other governmental bodies that have adopted similar security policies. The County will require a one time Written Confidentiality Agreement (See Attachment C) with each jurisdiction or governmental body requesting County infrastructure data. The County asks and expects that discretion be used and the intent of the law be followed to restrict this type of data from public domain use.
- 3.8 Any employee who routinely handles or otherwise has access to information covered under this policy will be required to be familiar with the policy and sign an acknowledgement form. Any employee of the County in violation of this policy shall be subject to disciplinary action up to and including termination.
- 3.9 Any employee of the County who encounters requests for information that they believe may compromise the security or operation of the facility, or plans being communicated, should contact their supervisor and report the request.

4.0 Request for Approval to Obtain Sensitive Infrastructure Data

- Attachment A - Application for Approval of Tier I Registration for Licensed Professional to Obtain and Use Sensitive Infrastructure Data
- Attachment B – Application for Approval of Tier II Registration for Non-Licensed Professional and Others to Obtain and Use Sensitive Infrastructure Data
- Attachment C - Infrastructure Information Confidentiality Agreement
- Attachment D – Application for Tier III Registration for firms and individuals that do not qualify as a Tier I or Tier II.

5.0 Consequences of Violations

Any violation of this policy by a Tier I or Tier II registration application approval by Licensed Professionals or Non-Licensed Professionals, business, firms, community groups or individuals and individuals working for the applicants, shall result in the County canceling all approvals and/or contracts with the violating party for cause. Further, the County shall not conduct business with or grant contracts to the violators for a minimum of five (5) consecutive years. In additions, the County shall seek recovery of any damages experienced as a result of the violations.

All existing contracts, as of the date of adoption of this policy, shall be amended to include this condition and all future contracts shall contain this condition.

Adopted this the _____ day of _____, 2005

ATTEST:

Attachment A

**Cabarrus County
Application for Approval of Tier I Registration for Licensed Professional to
Obtain and Use Sensitive Infrastructure Data**

This is a request by **LICENSED PROFESSIONALS** authorizing representatives of their company to obtain sensitive maps, plans, data, and other engineering information pertaining to the County's public infrastructure systems for their use in the practice of their profession, as per the County's Infrastructure Confidentiality and Security Policy, Section 3.2. **Please attach a detailed description of the information requested and its intended use.**

Category of Information Requested (Select Only One Per Form):

- Public Buildings
- Telecommunication and Data Network Systems
- Public Security Plans
- Water System
- Sewer System

I hereby designate the following individuals of our organization to make requests for information as described above. As a condition of this approval we will immediately notify COUNTY, in writing, if any of these employees are terminated or otherwise not authorized to obtain information under this agreement. We may add employees in a similar manner.

Employees Authorized (Please Print): (If more names are needed, please attach a second sheet.)

I hereby agree that any material furnished to our company will not be copied for transmittal to any other company or individual outside our company. Approval of this request is conditional upon reading and accepting the terms of the County's *Infrastructure Confidentiality and Security Policy*, including contract termination, limits upon future work and payment of damages, if any. I understand and agree that the Cabarrus County provides no warranties of any kind about the data provided.

NAME OF REQUESTING FIRM: _____

ADDRESS: _____

REQUESTED AND AUTHORIZED BY:

(Printed Name)	(Title)	
(Signature)	(Date of Request)	(NC Professional License Number)

COUNTY APPROVED BY:

(Name)	(Title)	(Date Approved)
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Attachment C
Cabarrus County Consortium Member
Infrastructure Confidentiality and Security Agreement

Agreeing Parties:

Date:

1. _____ shall regard public infrastructure data provided by the Cabarrus County as confidential and proprietary. Information sharing shall be strictly limited to activities that are project specific. _____ shall have the right to display or map small portions of the Cabarrus County's data as needed specific to a project or personal request. _____ will follow the Cabarrus County's Infrastructure Confidentiality and Security policy to restrict sensitive County public infrastructure information from public domain use. All requests for complete data sets of the Cabarrus County's infrastructure will be forwarded to the Cabarrus County for evaluation.

2. The Cabarrus County shall regard public infrastructure data provided by _____ as confidential and proprietary. Information sharing shall be strictly limited to activities that are County project specific. The County shall have the right to display or map small portions of _____ data as needed specific to a project or personal request. Cabarrus County will follow its adopted infrastructure confidentiality and security policy to restrict _____ sensitive public infrastructure information from public domain use. All requests for complete data sets of _____ infrastructure will be forwarded to _____ for evaluation.

3. Failure to follow this Agreement may result in cancellation of this Agreement upon written notice initiated at or in the discretion of either party. Nothing in this Agreement shall limit the legal rights and remedies of either party to seek damages, declaratory judgments or injunctions in a court of competent jurisdiction.

_____ understands and agrees that the Cabarrus County provides no warranties of any kind about the data provided.

AGREED TO BY:

Cabarrus County

Other

By _____ By _____

Title _____ Title _____

**Attachment D
CABARRUS COUNTY
Application for Approval of Tier III Registration
for Others to view Sensitive Infrastructure Data**

Cabarrus County will not honor requests to distribute public infrastructure information to firms or persons not approved as a Tier I or a Tier II. However, individuals and firms may view detailed plans, drawings or documentation of public infrastructure for the purpose of determining the proximity of the infrastructure to their property or a property of interest. Cabarrus County requires documentation of need for the information. Copying or any other form of duplication of the viewed detailed plans, drawings or documentation will no be permitted.

Briefly describe the information you would like to view and the purpose of viewing:

Category of Information Requested (Select Only One Per Form):

- | | |
|---|---------------------------------------|
| <input type="checkbox"/> Public Buildings | <input type="checkbox"/> Water System |
| <input type="checkbox"/> Public Security Plans | <input type="checkbox"/> Sewer System |
| <input type="checkbox"/> Telecommunication and Data Network Systems | |

I understand and agree that the County provides no warranties of any kind about the data provided.

REQUIRED FOR APPROVAL:

NAME OF FIRM/ORGANIZATION/GROUP: _____

ADDRESS: _____

_____	_____	_____
(Printed Name)	(Signature)	(Date Approved)

COUNTY APPROVED BY: _____	_____	_____
(Name)	(Title)	(Date Approved)